

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

MICHAEL McDONALD

Criminal No. 05-10016-RCL

**DEFENDANT'S MOTION FOR JUDGMENT OF ACQUITTAL**

Defendant, Michael McDonald, moves, pursuant to Rule 29(a) of the Federal Rules of Criminal Procedure, that the Court enter a judgment of acquittal on each count of the above-numbered indictment. In support of said motion, defendant states that the evidence presented by the Government is insufficient to sustain a conviction on any of the counts charged.

MICHAEL McDONALD  
By his attorney,

*/s/ John M. Moscardelli*

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DATED: November 13, 2006

**Certificate of Service**

I, JOHN M. MOSCARDELLI, counsel for the defendant, Michael McDonald, hereby certify that I have this day served a copy of the foregoing motion upon Assistant United States Attorney Donald Cabell of the United States Attorney's Office, United States District Court, One Courthouse Way, Suite 9200, Boston, MA 02210 by electronic mail.

*/s/ John M. Moscardelli*

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JOHN M. MOSCARDELLI